




01-09-030

3626

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I hereby certify that this paper and/or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner For Patents, Washington, DC 20231.
Name: Mary Chow
1/6/03
Signature Date

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Fernandez
Serial No.: 09/435,504
Filed: 11/06/99
For: Bioinformatic Transaction Scheme

Attorney Docket No. FERN-P006
Examiner: Robert W. Morgan
Art Unit: 3626

Assistant Commissioner of Patents
Washington, D.C. 20231

RECEIVED
JAN 10 2003
GROUP 3600

AMENDMENT TRANSMITTAL LETTER

Dear Sir:

1. **TRANSMITTED DOCUMENTS:** the following documents relating to the above-identified patent application are being transmitted herewith.

- ☒ a. A Supplemental Amendment for this application: 9 pages.
- ☐ b. Substituted Informal Drawings: sheets.
- ☐ c. A Petition For Extension of Time For Response under 37 CFR 1.136(a) incorporated herein.
- ☐ d. An Information Disclosure Statement under 37 CFR 1.97(b) 1.97(c)
- ☒ e. A stamped, self-addressed, return postcard.
- ☐ f. A Check (#) for \$ to cover required fees of this correspondence.

2. **APPLICANT FILING STATUS:**

- ☐ a. Applicant is a Large Entity.
- ☒ b. Applicant is a Small Entity.

3. **EXTENSION OF TIME:**

☐ a. Applicant petitions for an extension of time under 37 C.F. R. 1.136 for the total number of months checked below (fees pursuant to 37 C.F.R. 1.17(a)-(d).

<u>Extension of Time</u>	<u>Large Entity Fee</u>	<u>Small Entity Fee</u>
i. One (1) month .	<u> </u> \$ 110.00	<u> </u> \$ 55.00
ii. Two (2) month .	<u> </u> \$ 390.00	<u> </u> \$ 195.00
iii. Three (3) month .	<u> </u> \$ 890.00	<u> </u> \$ 445.00
iv. Four (4) month .	<u> </u> \$ 1,390.00	<u> </u> \$ 695.00
v. Five (5) month .	<u> </u> \$ 1,890.00	<u> </u> \$ 945.00

Extension Time Fee Total: .

- ☒ b. Applicant believes that no extension of time is required. However, this conditional petition is being made in case Applicant has inadvertently overlooked the need for a petition for extension of time.

4. **FEE CALCULATION:**

The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

Fee Items	Claims Remaining After Amendment	Highest Number of Claims Previously Paid	Present Extra Claims	Fee Rate	Total
a. Total Claims	20	- 20 =	0	x \$ 18.00 Large Entity x \$ 9.00 Small Entity	\$0
b. Independent Claims	3	- 3 =	0	x \$ 78.00 Large Entity x \$ 39.00 Small Entity	\$0
c. Multiple Dependent Claims Added By This Amendment				x 260.00 Large Entity x 130.00 Small Entity	
d. Extension of Time Fee Total, if any, from above EXTENSION OF TIME section 3a.					\$.00
e. Additional Fees Required With This Correspondence i) 1.17 (p) Fee for Information Disclosure under 1.97(c)					\$.00
e. Total Fees					\$.00

5. **PAYMENT OF FEES**

The full fee due in connection with this communication is provided as follows:

_____ The Commissioner is hereby authorized to charge the fees associated with this communication or credit any overpayment to **Deposit Account No: 500482**. A duplicate copy of this authorization is enclosed.

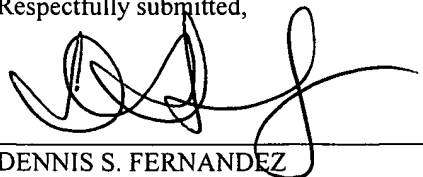
_____ A Check # _____ for \$ _____ for the above specified Total Fee is enclosed. However, should Applicant inadvertently miscalculated the required fee, the Commissioner is hereby authorized to charge the necessary additional amount associated with this communication or credit any overpayment to **Deposit Account No: 500482**.

 X Applicant does not believe that any payment of fee is needed in association with this communication. However, should Applicant inadvertently miscalculated the required fee, the Commissioner is hereby authorized to charge any necessary amount associated with this communication or credit any overpayment to **Deposit Account No: 500482**.

Please direct all correspondence concerning the above-identified application to the following address:

FERNANDEZ AND ASSOCIATES, LLP
Patent Attorneys
P.O. BOX D
Menlo Park, CA 94026-6204
Phone: (650) 325-4999
Fax: (650) 325-1203

Respectfully submitted,



DENNIS S. FERNANDEZ
Registration No. 34,160

1/6/03
Date

FERNANDEZ & ASSOCIATES LLP
PATENT ATTORNEYS

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Mr. Robert W. Morgan	Mary Chow
COMPANY:	DATE:
USPTO	1/6/03
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
1(703) 305 7687	10
PHONE NUMBER:	OUR REFERENCE NUMBER:
703-605-4441	(650) 325 4449
RE:	OUR FAX NUMBER:
Supplemental Amendment for 09/435,504	(650) 325 1203

☒ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Dear Robert

Thank you for the teleconference. Per your discussion w/ Dennis, we would like to submit a supplemental amendment. We will also be mailing the amendment to you via mail.

Thank you very much for your time and attention.

Best Regards,


Mary Chow

FAX RECEIVED

JAN 06 2003

GROUP 3600

OFFICIAL

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12/B/Supplemental
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: FERNANDEZ

Attorney Docket No.: FERN-P006

Serial No.: 09/435,504

Group Art Unit: 3626

5 Filed: 11/06/99

Examiner: Robert W. Morgan

Title: "BIOINFORMATIC TRANSACTION SCHEME"

SUPPLEMENTAL AMENDMENT

10 The Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In the Claims:

15 **Claims 1, 8, 21, 23, and 26-28 are amended, as follow:**

(Please note that un-amended claims are included for convenience.)

20 1. *(Twice-Amended)* Automated transaction method comprising the steps of:
determining electronically a bioinformatic value associated with a user; and
transacting via a processor with the user according to the bioinformatic value,
wherein the bioinformatic value is automatically determined when or after the user permits
access to a voluntarily-selected portion of his or her personal genetic nucleotide profile, such
accessible portion being associated or used with evaluating the user transaction via said
processor, an other portion of such genetic profile being not voluntarily-selected by the user and
25 thereby inaccessible for evaluating the user transaction.

2. *(Un-amended)* The method of Claim 1 wherein:

the bioinformatic value comprises a likelihood or risk of the user having or
developing a genetically-based medical or physiological condition, wherein the
30 transaction step comprises providing the user with an insurance policy to cover the
occurrence of the genetically-based condition.

3. *(Un-amended)* The method of Claim 1 wherein:

the bioinformatic value comprises a likelihood or risk of the user having or